

# RURAL TELECOMMUNICATIONS GROUP

*advocate of rural wireless telecommunications providers*

*1000 Vermont Avenue, NW, 10<sup>th</sup> Floor  
Washington, DC 20005*

## MEMORANDUM

**To:** Magalie Roman Salas, Secretary  
Federal Communications Commission

**From:** Brent H. Weingardt, Regulatory Counsel

**Date:** March 29, 2001

**Re:** *Ex Parte* Presentation – March 28, 2001

*In re Promoting Efficient Use of Spectrum Through Elimination of Barriers to  
the Development of Secondary Markets,  
WT Docket No. 00-230*

*In re 2000 Biennial Regulatory Review Spectrum Aggregation Limits for  
Commercial Mobile Radio Services,  
WT Docket No. 01-14*

*In re Amendments to Parts 1, 2, 87 and 101 of the Commission's Rules To  
License Fixed Services at 24 GHz,  
WT Docket No. 99-327*

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The Rural Telecommunications Group ("RTG"), pursuant to Section 1.1206 of the Rules and Regulations of the Federal Communications Commission ("FCC" or "Commission"), hereby submits this *ex parte* presentation in regard to above-referenced proceedings.

On March 28, 2001, Caressa D. Bennet, Brent H. Weingardt, Kenneth C. Johnson, and Gregory W. Whiteaker of Bennet & Bennet, PLLC, representing RTG, participated in separate meetings with Commissioner Harold Furchtgott-Roth and Bryan Tramont, James D. Schlichting, Adam Krinsky, William Kunze, and Paul Murray and Jeffrey Steinberg of the FCC. Also representing RTG were Mark Rutherford of Colorado Valley Telephone Cooperative, James Wickham of Arctic Slope Telephone Association Cooperative, William Casto of CMS of St. Cloud, Charles Gowder and George Bennack of Valley Telephone Cooperative, Inc., Luan Pearson of Leaco Rural Telephone Cooperative, Inc., Greg Aldridge, William H. Stanley, and Jerry Johnston of KanOkla Telephone Association, Inc., Dwight Welch of Hardy Telecommunications, Don Jennings, J. Harry Scurry Jr., and Stephen Lovig of Partner Communications Cooperative, Jamey Wigley of Central Texas Telephone Cooperative, Inc., Albert Bodamer of Cronin Communications Consultants, Bert Lima of Prime Companies, and Bob Boaldin and Dian Boaldin of Elkhart Telephone Company.

In its meeting with James Schlichting, RTG, consistent with its August 31, 2000 Petition for Reconsideration of the FCC's 24 GHz *Order*, expressed concern over the FCC's use of large geographic license areas, noting that such large areas preclude small carriers from garnering spectrum in the primary spectrum auctions. RTG also pointed out the necessity for the FCC to lower transaction costs as much as possible as it continues to develop rules in its secondary markets proceeding.

In its meeting with Commissioner Harold Furchtgott-Roth and his Senior Legal Advisor, Bryan Tramont, RTG noted that there is no spectrum shortage in rural areas, only that rural carriers cannot get their hands on the spectrum. The Commissioner and RTG discussed the need for a robust secondary market where the FCC can step out of the way and no longer referee spectrum business decisions between parties.

In its meeting with Jeffrey Steinberg, RTG reiterated its position that the spectrum cap should be removed and that the cap served no purpose, especially in rural markets. In most cases, RTG pointed out, rural telephone companies are the only companies willing to make the investment in new spectrum-based technologies in their communities.

In the meeting with William Kunze and Paul Murray, RTG suggested the use of small geographic license areas in order to allow small carriers to have some sort of meaningful access to spectrum. RTG also agreed that the FCC's combinatorial bidding mechanism should make smaller license areas more acceptable to the Commission in the future. In addition, RTG provided real-world examples of spectrum lease arrangements that could be facilitated through the FCC's removal of regulatory barriers in its secondary markets proceeding.

If you have any questions regarding this filing, please contact me at (202) 371-1500.

Sincerely,

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/s/

Brent H. Weingardt  
Regulatory Counsel  
Rural Telecommunications Group

cc: Commissioner Harold Furchtgott-Roth  
Bryan Tramont  
James D. Schlichting  
Adam Krinsky  
William Kunze  
Paul Murray  
Jeffrey Steinberg

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